

# EXHIBIT E-1

# POA JOURNAL

— Official Publication Of The —

## SAN FRANCISCO POLICE OFFICERS ASSOCIATION

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## President's Annual Year End Recap

By Martin Halloran  
SFPOA President

I would be lying if I said 2017 was a banner year at the POA, or for the SFPD rank and file. It was not. That said, there were some major accomplishments made this past year. So, here is a recap of 2017.

A new Chief of Police, inflated command staff, and 272 recommendations from the DOJ/COPs review gave us a lot to deal with. As always, the POA and its Board of Directors addressed each issue head-on and without reservation:

- In January, the POA continued its legal challenge of the flawed Use of Force Policy that was hastily implemented by then Police Commission President Suzy Loftus. Loftus failed to honor meet-and-confer obligations by removing a less lethal force option called the Carotid Restraint, and by removing language that would have allowed our members to use lethal force against a suspect or terrorist who is using a vehicle to mow down innocent victims. Loftus has endangered the public and our officers by her actions. Our case is now waiting to be heard in the California Court of Appeals, where we hope a fair and sensible ruling will be handed down.
- The lack of less lethal options may have also led to officers being assaulted, bloodied, and bruised at an incident in the Oceanview neighborhood in January. The officers made use of all of their "time and distance" training, but when the suspect suddenly became combative they had no other option available to them outside of their mace and baton. They were then forced to go to the bullet, which should not have been their final option. Fortunately, the suspect survived. (He has since been re-arrested

twice for assaulting neighbors, and violating his restraining order.)

- A new POA Executive Board was sworn in this past January. I am proud to continue to serve as your President, and I thank you for your confidence in me and my team. I am equally proud and feel privileged to serve with Vice President Tony Montoya, Secretary Rick Andreotti, Treasurer Sean Perdomo, and Sgt-At-Arms Val Kirwan. These veterans bring a vast amount of experience to the Board, even while they continue working in field assignments. They are dedicated and committed to the membership and to the POA mission. I thank them each for stepping up.
- Also in January, the Mayor appointed William Scott as Chief of Police. Bill Scott comes to us from LAPD where he had served 28-years in various assignments, and promoted to the rank of Deputy Chief. Chief Scott requested and received additional funding from the Board of Supervisors to increase the SFPD Command Staff to its largest size in the history of the department. Chief Scott and the POA do not agree on all issues (see below), but have been able to work through some of our differences. I hope to continue with this open communication throughout 2018.
- The flawed Use of Force Policy and the lack of less lethal options may have led to one of our officers having a prolonged hand-to-hand physical encounter with a homeless person on La Playa Street in February. Thankfully, a bystander jumped in to help the officer gain control of the combative suspect. Video of that incident shows the bystander trying to utilize a carotid restraint — something that we (SFPD) can no longer use!
- The POA filed a record number of grievances in 2017. Sadly, informally settling differences with the department or with DHR is no longer an option. Apparently, those days are gone.
- The POA did prevail in arbitration. One resolved members being allowed to choose which time bank they can utilize when on family leave, commonly known as FMLA. This favorable ruling by an arbitrator now allows our members to take advantage of the Wellness Program, if they wish, by expending hours in other time banks rather than their SP hours.
- The POA also prevailed in arbitration related to the Chief's directive in August that POA representatives were banned from addressing line ups, claiming that we were "disruptive." The POA demanded expedited arbitration, which was granted. After testimony was given in arbitration, the City immediately asked for a settlement. An agreement was reached

that brought us back to the status quo. We shall not be silenced.

- The latter part of 2017 was extremely difficult and heartbreaking for POA members. The senseless, horrific killing of Stacey Etcheber in Las Vegas last October left us shocked beyond belief, broken hearted, and deeply depressed. We can't imagine what Officer Vinnie Etcheber and his kids are going through. We will all continue to support him and his family during this most trying time.
- Another blow was struck on October 18th when Officer Elia Lewin-Tankel was purposely and deliberately run down by a recidivist felon. It appears that Elia was targeted simply for wearing the uniform and for doing his job. Elia suffered a massive head injury, and is struggling every day in his recovery. This will be a long and difficult road for Elia and his family, and once again we must rally around them with support and prayers.
- As if this was not enough, on Halloween night one of our officers was shot while patrolling in the Castro District by another recidivist felon. Thankfully, our member survived due to the heroic actions of his partner. The wounded officer is now recovering at home. This officer did have to endure several painful surgeries, but we are hoping and praying that he returns to his assignment in the SFPD very soon. I remember a lesson I was taught while playing football at Sacred Heart



High School. No matter how bad a practice session was going, Coach Cota (retired Lieutenant Ed Cota) always said "We are going to end on an up note or a good play. We are not ending practice today on a bad play." Accordingly, I will end this message, at this most joyous time of year, on an up note.

With the trials and tribulations that our members were faced with this past year, it amazes me how our cops and members of the POA have stepped up, remained professional, caring, and compassionate to the community that we serve. Their dedication to the public, their profession, and to their fellow officers is admirable. The greatest asset of the SFPD has been and continues to be its members. They are a special group of people who have entered a noble and honorable profession, and I am honored to be associated with them.

On behalf of the San Francisco Police Officers Association Board of Directors and office staff, I wish all a Merry Christmas, a Happy New Year, and lasting Peace in 2018.

*Slainte!*

## All The Best, From Our Zoo To Yours — SFPOA



MAY YOUR KINGDOM BE PEACEABLE

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**Exhibit A**



## Minutes of the November 16, 2017, General Membership Meeting

United Irish Cultural Center, 2700 45th Ave, San Francisco

### Call To Order

Sergeant at Arms Val Kirwan called the meeting to order at 1801 hours.

Sergeant at Arms Val Kirwan led the board in the Pledge of Allegiance. Following the pledge, he asked for a moment of silence in honor of police officers and military personnel killed in the line of duty. President Halloran also asked for silent prayers for the speedy recovery of Officer Elia Lewin-Tankel and Officer Kai Hintzen.

### Roll Call

Secretary Andreotti conducted roll call. Twenty-six (26) board of director members were present while six (6) were excused.

### Approval Of October 2017 Board Minutes

A motion to approve the October 2017 meeting minutes was made by Board of Director Matt Lobre and seconded by Board of Director member Frank Pereira. The minutes were approved with a unanimous vote.

### Presentation

San Francisco Police Sergeant Larry Mack made a presentation to Mr. Jason Hutchinson. Mr. Hutchinson is a senior forensic analyst for the Northern California Regional Intelligence Center (NCRIC). Sgt. Mack praised Mr. Hutchinson for his work in forensic study of video. Mr. Hutchinson's work enhancing video footage has directly resulted in the identification and arrest of violent offenders. President Halloran presented Mr. Hutchinson a plaque on behalf of the SFPOA which read "In recognition of your years of service and dedication to the citizens of San Francisco, your commitment to the men and women of the San Francisco Police Department is appreciated and will not be forgotten."

Retired Captain Paul Chignell addressed the membership regarding property loss in the recent Northern

California devastating wild fires. Teresa Rossi is the daughter of retired San Francisco Police Officer George Cathrell. George Cathrell was a San Francisco Police Officer from 1948 to 1976. Teresa Rossi lost her home in the recent Santa Rosa fire. Inside her home was her father's SFPD memorabilia including pictures and his seven-point star #1025. The memorabilia were extremely sentimental to Ms. Rossi as her father passed away in 2006. Ms. Rossi reached out to the SFPOA in an attempt to replace some of this police memorabilia. President Halloran took it upon himself to order Ms. Rossi another SFPD star. In addition, new photographs of Officer Cathrell were obtained from the SFPD photo lab. These items along with a challenge coin from the SFPOA and SFPD were placed in a shadow box. President Halloran and retired Captain Chignell presented the shadow box to a life-long friend of Ms. Rossi as Ms. Rossi was unable to attend the meeting as she continues to struggle with the aftermath of the fire.

Ms. Erika Jones-Clary, who currently maintains the SFPOA website, elections, and e-mail made a presentation regarding mobile communication. The SFPOA is in the research and discovery phase for developing a mobile app that would be news based. In the future, information from the SFPOA will be accessible via a cell phone making accessing information easier.

A presentation was made by two of the three candidates for the two open board of director seats at the San Francisco Police Credit Union. Candidates John Goldberg and Michael Hebel made presentations and solicited the endorsement of the SFPOA. The third candidate, Clifford Cook was unable to make the meeting and will be given equal time to make his presentation at the December board of directors meeting.

Retired Lieutenant Mike Slade made a presentation on behalf of Operation Dream. Operation Dream is a 501(c)3 non-profit organization that started in

1994 by members of the SFPD Housing Task Force. Operation Dream assist low income San Francisco residents through such events as turkey give always and toy drives. They also provided services which help members of the community obtain employment. Retired Lieutenant Slade requested a financial donation from the SFPOA that matched last years donation.

### Presentation By Chief Scott

Chief Scott started his presentation by thanking the membership for all their hard work. He then addressed the following issues:

**Staffing:** Chief Scott said staffing is an issue. He stated the department needs to grow as demands on the department continue to grow. A staffing plan is being developed. Final staffing numbers have yet to be determined.

**Tasers:** The Police Commission voted for the implementation of Tasers. A policy shall be submitted to the Police Commission by December 6th. Chief Scott voiced concern if the policy submitted is too restrictive. At this point, it is unclear if there will be a pilot program or a full department role out. Chief Scott would prefer a department wide rollout.

**Promotions:** Chief Scott reminded members that he has an open door policy for anyone who did not get promoted. He stated the Rule of 10 will continue and that not everyone on the promotional list will get promoted. More promotions will come in the future.

**Cars:** Chief Scott stated the department's fleet is in bad shape. The department needs more vehicles. Currently the department's budget has 4 million dollars set aside for vehicles. This money will allow the purchase of approximately 60 vehicles. The chief said he needs to locate additional funds in order to purchase an additional 40 vehicles. Department vehicles are on the 2018 budget plan.

Chief Scott opened the floor up for questions. The following questions were

posed to the chief:

President Halloran asked the chief to explain the Rule of 10 and how he picked one promotional candidate over another. Chief Scott explained the Rule of 10. In summary, he can look at candidates 9 above the number of open positions. Deputy Chiefs reviewed all candidates' secondary criteria and determined if a candidate was eligible or not eligible for promotion. The chief then looks at the needs of the department. He determines the diversity of experience, diversity or race, diversity of sex and diversity of culture in determining who he selects. Minor sustained complaints resulting in a one-day suspension is not a career stopper. The next round of promotions will depend on the number of retirements.

A board of director member asked the chief if a candidate gets skipped a second time, will they get more information as to why they got skipped. Chief Scott stated he picks from a pool of candidates and not rank order. Rank order is not the best route for the department.

A SFPOA member asked the chief if he was planning to eliminate the mute function on the body worn cameras (BWC). Chief Scott stated he has received complaints from both the Public Defender's office and the District Attorney's office that officers use of the mute functions has negatively impacted jury trials. Therefore, Chief Scott is planning on eliminating the mute function after meeting with the SFPOA.

A board of director member asked the chief if he plans on increasing the number of academy classes from 2 per year as previously planned for staffing maintenance. Chief Scott said he will increase the number of academy classes as the department needs to grow.

A SFPOA member asked the chief if he would assist the Traffic Company continue with the tradition of providing escorts during funerals on the weekend for retired members or family members of current or retired members. The chief

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**SFPOA BOARD OF DIRECTORS**

|   |  |
|---|--|
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|---|--|

**ASSOCIATION OFFICE: (415) 861-5060**

ADDRESS ALL CORRESPONDENCE TO: Editor, POA Journal, 800 Bryant St., 2nd Floor, San Francisco, CA 94103. No responsibility whatever is assumed by the POA Journal and/or the San Francisco Police Officers Association for unsolicited material.

The POA Journal is the official publication of the San Francisco Police Officers Association. However, opinions expressed in this publication are not necessarily those of the SFPOA or the San Francisco Police Department.

Members or readers submitting letters or articles to the editor are requested to observe these simple rules:

- Address letters to the Editor's Mail Box, 800 Bryant St., 2nd Floor, San Francisco, CA 94103.
- Letters must be accompanied by the writer's true name and address. The name, but not the street address, will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be typed, double-spaced, or submitted via e-mail or on disk in Microsoft Word.

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### San Francisco Police Officers Association Editorial Policy

The POA Journal and the POA web site ([www.sfpoa.org](http://www.sfpoa.org)) are the official publications of the San Francisco Police Officers Association and are published to express the policies, ideals, and accomplishments of the Association. The following provisions that are specific to the publication of the POA Journal shall also be applicable to publication of material on the POA web site to any extent that is practical. Publication of material in the POA Journal or on the POA web site does not necessarily include publication on or in both instruments of communication. Nor does the following editorial policy for the POA Journal preclude a different or contrary editorial policy for the POA web site.

#### Member Opinions and Commentary: Unsolicited Written Material

A member or group of members may submit unsolicited written material to the POA Journal that expresses his/her/their opinion(s) and concerns within the following limitations and guidelines:

- Such material must be addressed as a letter or mail using common salutations such as "Dear POA," "Editor," "SFPOA," "Dear POA Members" etc.
- Such material must be authored and signed by the member(s) making the submission. Anonymous submissions will not be published.
- Such material must be factually correct and presented in a respectful and civil manner.
- Such material can not be slanderous, unnecessarily inflammatory, sexist, racist, or otherwise offensive, nor can it be disparaging of any member or bring upon them unwarranted accusation or rebuke, either express or implied.
- Such material can be forwarded to the editor by electronic mail, US Mail, inter-departmental mail or other written communication, or delivered in person to the editor or to any person in the POA office.
- Upon receipt of such material, the editor shall cause it to be published in the next regular printing of the POA Journal, or in a future issue designated by the submitting member provided that the content complies with all the provisions of this policy. Such material will not necessarily appear in more than one issue of the POA Journal.
- Such material will be published in a designated section that shall be clearly titled as "Letters to the Editor," "Letters to the Journal," "Mail" or other similar title indicating that the material included therein is the express opinion of the author(s) and not necessarily that of the SFPOA or any of its elected or appointed officers.
- Depending upon considerations of timeliness and space, the editor reserves the right to withhold publication of such material for as many as two issues. The editor also reserves the right to decline to publish material beyond a date wherein the context of the material is no longer timely.
- All such material is subject to editing for grammar and punctuation. Portions of a submission may be omitted for considerations of space so long as the general context of the material is not significantly diminished or altered.
- The editor may select portions of a submission to be highlighted in a common editorial manner such as pull quotes, sub-heads, or kickers.

#### Other Submitted Material

All other written, photographic, or graphic material must be:

- Specifically solicited by the editor;
- Or be unsolicited material that may be published at the discretion of the editor, and in accordance with other applicable sections of this editorial policy and Article XI, Section 8(e) of the by-laws.





President Martin Halloran, second from left, and Retired Captain Paul Chignell, right, present a shadow box with memorabilia of deceased retired SFPD officer George Cathrell to life-long friends of his daughter, Teresa Rossi. Ms. Rossi lost her home and all of her father's memorabilia in the October wine country wild fires.

PHOTO BY VAL KIRWAN

agreed to look into this issue.

Retired Captain Paul Chignell asked the chief why he has not followed, on a number of occasions, deputy chief recommendations after a chief's hearing. Chief Scott stated that facts are open to interpretation. He reads each case and interprets the facts. Findings are based on the preponderance of evidence. There are times when he disagrees with the interpretation of facts.

A SFPOA member asked the chief if ballistic shields are going to be installed in all patrol vehicles. Chief Scott stated that ballistic shields and Kevlar lined doors will be in all cars. Chief Scott also stated that officers should be issued ballistic helmets.

SFPOA attorney Gregg Adam asked the chief his thoughts on the difference in policing between Los Angeles versus San Francisco. Chief Scott stated it is harder to conduct police work in San Francisco than Los Angeles. The court system and politics makes San Francisco more challenging. The chief said his level of respect for San Francisco police officers has increased because of the challenges that are unique to San Francisco.

#### President's Message

President Halloran gave an update on critically injured Officer Elia Lewin-Tankel. Officer Lewin-Tankel was transferred from San Francisco General Hospital to a long term care facility on 11/13/17. He has a long hard road ahead of him. There is a fundraiser scheduled on November 29th at Bill Graham Civic Auditorium where all proceeds will go to the Lewis-Tankel family. Officer Kai Hintzen, who was shot on Halloween,

is recovering and will hopefully be discharged before Thanksgiving. President Halloran asked for prayers for both officers.

President Halloran introduced the newest SFPOA labor attorney, Matthew Taylor. Mr. Taylor is an attorney who works with labor attorney Gregg Adam at Messing, Adam and Jasmine LLP.

President Halloran informed the membership about the Police Commission's vote 4-3 in favor of implementing Tasers at the SFPD. President Halloran said the commission failed to vote on a policy even though a policy had been drafted and prepared to vote on. The commission also decided that Tasers will not be implemented until December 2018. These delays are unacceptable. President Halloran advised the membership that the executive board voted to initiate a signature campaign to put Tasers on the June 2018 ballot. Polling data shows that 78% of those San Francisco residents polled are in favor of SFPD officers being issued Tasers.

President Halloran advised on the recent settlement between the City and the SFPOA with regards to SFPOA station visits. The settlement memorializes for the first time the practice of POA representatives addressing members face to face about POA related matters. Sworn, elected POA representatives will continue, subject to the approval of the platoon commander or the district/unit commanding officer, to address members at the conclusion of line-ups. Non-elected and non-sworn POA representatives will still be allowed to address the membership but will have to provide at least 24-hour notice to the district station/unit commanding officer of their intention to address line-ups and

the subject matter. The Department may meet with the POA prior to any presentation by non-sworn representatives. It was important for the POA to hold the line and defend the POA's right to communicate with the membership.

President Halloran addressed the recent promotions. He stated that previous chiefs had not applied the rule of 10 from the outset of promotions. A recent analysis from an expert hired by the POA concluded that the chief followed the rule of 10 with his promotions. A member conducted an analysis of the recent promotions examining promotions based on race, gender and sexual orientation. The POA is still considering hiring an expert to conduct an analysis of Chief Scott's promotional selection patterns.

President Halloran addressed the membership regarding Commissioner Petra De Jesus' recent inflammatory statements made on camera with regards to SFPD officers being outfitted with Tasers. Commissioner De Jesus stated during an interview "the use of Tasers is a lazy cops way of getting someone to do something." President Halloran said the POA takes exception to Commissioner De Jesus' inflammatory ill-conceived statements and all the hard working men and women in law enforcement deserve better. An apology from Commissioner De Jesus is in order.

President Halloran addressed the membership regarding the body worn cameras and the mute function. President Halloran said deleting the mute function is a change of working conditions. The department had failed to provide any specifics regarding cases that have been jeopardized because of the use of the mute function. The POA will meet and confer with the department if there is in fact a change with the use of the mute function.

President Halloran updated the membership on the use of force policy. President Halloran said a department bulletin could address the lack of clarity with deadly force exceptional circumstances. Attorney Gregg Adam stated the use of force appeal is waiting on the California Appellate Court. The POA is challenging the meet and confer obligation with the City over impact of working conditions with the new use of force policy.

President Halloran informed the membership that the executive board voted on a new policy in which the POA will reimburse a member up to \$50.00 for an Uber, Lyft, or taxi ride in the City when going to or leaving a station or unit holiday party. The party has to be held in the City to be eligible.

#### Vice President's Message

Vice President Montoya was excused due to a family emergency. President Halloran updated the membership on contract negotiations. Certain aspects of the contract could end up at impasse and arbitration. An arbitrator has already been selected. Mediation and arbitration dates are set if needed. May 15, 2018 is the deadline for the final best offer. If this date is not met, there will be no raise the first year of the new contract with no retroactive pay. Fortunately, the arbitrator has agreed to make all rulings by the May 15, 2018 deadline. The negotiation process is a long process. If you don't hear it from a member of the negotiation committee, it is most likely a rumor.

President Halloran requested that any member who responded to the Napa/Sonoma fires mutual aid to send Vice President Montoya an e mail at [tmontoya@sfpoa.org](mailto:tmontoya@sfpoa.org) notifying him the dates that you responded and whether or not you are experiencing any respiratory problems.

#### Treasurer's Report

Treasurer Perdomo said the POA is under budget thus far this year. The POA has also experienced mutual fund investment growth.

#### New Business

None

#### Old Business

None

#### Financial Requests

With regards to retired Lieutenant Slade's financial request for Operation Dream. Board of Director member Kevin Lyons made a motion to match last year's donation. This motion was seconded by Board of Director Ed Carew. The motion passed unanimously.

#### Adjournment

Board of Director member Ed Carew made a motion to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 2020 hours.

Submitted by  
Rick Andreotti, Secretary

*"These minutes will not be adopted by the Board of Directors until the next General Membership meeting. Corrections and amendments might be made prior to a vote to enter the minutes into the permanent record. All corrections and/or amendments will be published in the succeeding issue of the Journal."*

### General Membership Meeting Roll Call Thursday, November 16, 2017

|                  |                    |   |          |                   |   |
|------------------|--------------------|---|----------|-------------------|---|
| President        | Martin Halloran    | P | Co. G    |                   |   |
| Vice President   | Tony Montoya       | P |          |                   |   |
| Secretary        | Rick Andreotti     | P | Co. H    | David Lee         | P |
| Treasurer        | Sean Perdomo       | P |          | James Trail       | P |
| Sergeant-At-Arms | Val Kirwan         | P | Co. I    | Michael Ferraresi | P |
| Editor           | Ray Shine          | E |          | Shawn Imhoff      | P |
| Co. A            | Larry Chan         | E | Co. J    | Michael Koniaris  | P |
|                  | Robert Duffield    | P |          | Kevin Lyons       | P |
| Co. B            | Damon Hart         | P | Co. K    | Crispin Jones     | P |
|                  | Louis Wong         | P |          | Frank Pereira     | P |
| Co. C            | Maris Goldsborough | E | Hdqtr.   | Matt Lobre        | P |
|                  | Tracy McCray       | P |          | James O'Meara     | P |
| Co. D            | Mikayla Connell    | P | Tactical | Dan Laval         | E |
|                  | Scott Edwards      | E |          |                   |   |
| Co. E            | Joan Cronin        | E | Invest.  |                   |   |
|                  | Jesús Peña         | P |          | Ed Carew          | P |
| Co. F            | Jeremy Cummings    | P | Airport  | Angelique Marin   | P |
|                  | Greg Stechschulte  | P | Retired  | Reynaldo Serrano  | E |
|                  |                    |   |          | Ray Allen         | P |